

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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MICHAEL JAMES KEITZ,

Plaintiff,

DECISION and ORDER

-VS-

15-CV-6185-CJS-MWP

CORRECTIONAL OFFICER K. HACKETT, et al.,

Defendants.

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**Siragusa, J.** This case was referred to U.S. Magistrate Judge Marion W. Payson pursuant to 28 U.S.C. § 636(b)(1) on August 27, 2015. (ECF No. 11.) On December 18, 2015, the Court issued an Order to Show Cause (ECF No. 15) for failure to prosecute, with a deadline to respond by January 15, 2016. Plaintiff has not responded to the Order to Show Cause. Magistrate Judge Payson filed a Report and Recommendation ("R&R") (ECF No. 16) on March 17, 2016, recommending that the district court dismiss this action with prejudice pursuant to Fed. R. Civ. P. 41(b).

No objections have been filed. Accordingly, for the reasons set forth in Judge Payson's R&R, the Court adopts the R&R in its entirety and Clerk of the Court is directed to dismiss this action with prejudice pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute.

IT IS SO ORDERED.

Dated:           Rochester, New York  
                  April 5, 2016

ENTER:

/s/ Charles J. Siragusa  
CHARLES J. SIRAGUSA  
United States District Judge